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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/871,524	05/31/2001	Eliot M. Case	1813 USW 0611 PUS	1064
22193	7590	07/25/2005	EXAMINER	
QWEST COMMUNICATIONS INTERNATIONAL INC LAW DEPT INTELLECTUAL PROPERTY GROUP 1801 CALIFORNIA STREET, SUITE 3800 DENVER, CO 80202			WOZNIAK, JAMES S	
			ART UNIT	PAPER NUMBER
			2655	

DATE MAILED: 07/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/871,524

**Applicant(s)**

CASE, ELIOT M.

**Examiner**

James S. Wozniak

**Art Unit**

2655

-- The **MAILING DATE** of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 May 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-3, 6, 7, 11-13, 16 and 17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-7, 11-13, and 16-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the office action from 2/15/2005, the applicant has submitted an amendment, filed 5/9/2005, amending claims 1 and 11, while canceling claims 8-10 and 18-20 arguing to traverse the art rejection based on the limitation regarding user interaction in a natural language dialog with a computer system having a list of way to ask questions with a variable for the questionable data (*Amendment, Page 7*). The applicant's arguments have been fully considered but are moot with respect to the new grounds of rejection in view of Junqua (*U.S. Patent: 6,598,018*), necessitated by the claim amendments.

### ***Response to Arguments***

2. In regards to the applicant's argument that Surace et al (U.S. Patent: 6,144,938) is non-analogous art (*Amendment, Page 8*), the examiner notes that Baker et al (*U.S. Patent: 6,092,044*), Beutnagel (*U.S. Patent: 6,078,885*), and Surace et al are analogous art because they are all from a similar field of endeavor in speech recognition, as was noted in the previous office action on page 6. Also, the examiner further notes that the motivation for combining the prior art is found in Surace- to allow an interactive dialog system to effectively adapt to a user experience level to implement a more efficient interaction when a user is familiar with the system (*Surace,*

*Col. 2, Lines 5-7; Prior office action, Page 6).* Thus, Surace is considered proper prior art and obvious in combination with Baker and Beutnagel.

3. **Claims 1-2 and 11-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al (*U.S. Patent: 6,092,044*) in view of Beutnagel (*U.S. Patent: 6,078,885*), and further in view of Junqua (*U.S. Patent: 6,598,018*).

With respect to **Claims 1 and 11**, Baker recites:

Presenting a text spelling of an unknown word (*Col. 2, Lines 13-21 and Fig. 13, Element 1305*);

Receiving a human voice pronunciation of the unknown word from the human teacher (*Col. 3, Line 42- Col. 4, Line 65, and Fig. 13, Element 1310*);

Determining a phonetic spelling of the unknown word with the speech recognition engine based on the human voice pronunciation of the unknown word (*Col. 2, Lines 13-21 and Col. 15, Line 56- Col. 16, Line 5*); and

Associating the text spelling with the phonetic spelling to allow the text-to-speech engine to correctly pronounce the unknown word in the future when presented with the text spelling of the unknown word (*Col. 18, Lines 42-55*).

Baker further recites method implementation as a computer program stored on a computer readable medium (*Col. 19, Lines 21-31*).

Baker does not specifically suggest prompting a user to speak an unknown word pronunciation, wherein the prompt is in the form of an ongoing dialog between the computer system and the human teacher, however Beutnagel discloses such a prompt (*prompting a user to*

*pronounce a new dictionary word, Col. 5, Lines 35-46, and continuing dialog to allow a computer to request a voice pronunciation of a new word, Col. 7, Line 65- Col. 8, Line 29).*

Baker and Beutnagel are analogous art because they are from a similar field of endeavor in recognition dictionary building. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Baker with a request in the form of an ongoing dialog to receive a voice pronunciation of a new dictionary word as taught by Beutnagel to allow a user to interact with a computer system to confirm that a new recognition dictionary word has been entered correctly (*Beutnagel, Col. 7, Line 65- Col. 8, Line 5*).

Baker in view of Beutnagel does not specifically suggest a natural language dialogue between a human teacher nor a list of ways to ask questions with a variable for the questionable data, however Junqua discloses a group of sentences having fixed and variable parts for outputting inquiries to a user in a natural language dialog system (*Col. 3, Lines 31-41; Col. 4, Lines 46-67; and natural language dialog, Col. 5, Lines 49-57*).

Baker, Beutnagel, and Junqua are analogous art because they are from a similar field of endeavor in speech recognition systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Baker in view of Beutnagel with the natural language dialog system capable of asking questions having variable and fixed parts as taught by Junqua in order to enable a more natural human-like dialog in resolving an unrecognized user communication (*Junqua, Col. 3, Lines 31-41; Col. 5, Lines 49-57*).

With respect to **Claims 2 and 12**, Baker recites:

The phonetic spelling includes a sequence of phonemes (*Col. 5, Line 65- Col. 6, Line 7*).

4. **Claims 3 and 13** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al in view of Beutnagel, further in view of Junqua, and yet further in view of Franceschi (*U.S. Patent: 6,321,196*).

With respect to **Claims 3 and 13**, Baker in view of Beutnagel, and further in view of Junqua teaches a method for adding an unknown word to a speech recognition dictionary that utilizes an ongoing dialog to request an unknown word pronunciation, as applied to Claims 1 and 11. Baker in view of Beutnagel, and further in view of Junqua does not specifically suggest that a phonetic spelling includes a sequence of known words, however Franceschi teaches such a configuration (*Col. 5, Lines 22-41 and Fig. 2*).

Baker, Beutnagel, Junqua, and Franceschi are analogous art because they are from a similar field of endeavor in speech recognition systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Baker in view of Beutnagel, and further in view of Junqua with the use of a sequence of known words for phonetic spelling as taught by Franceschi to provide more accurate speech recognition for commonly misunderstood words (*Franceschi, Col. 1, Lines 44-52*).

5. **Claims 6-7 and 16-17** are rejected under 35 U.S.C. 103(a) as being unpatentable over Baker et al in view of Beutnagel, further in view of Junqua, and yet further in view of Surace et al (*U.S. Patent: 6,144,938*).

With respect to **Claims 6-7 and 16-17**, Baker in view of Beutnagel, and further in view of Junqua teaches a method for adding an unknown word to a speech recognition dictionary that

utilizes an ongoing dialog, which includes a reprompt, to request an unknown word pronunciation, as applied to Claims 1 and 11. Baker in view of Beutnagel, and further in view of Junqua does not specifically suggest that the prompts have an information content level ranging from low to high and wherein repeated requests in an ongoing dialog progressively lessens as the dialog is repeated, however Surace teaches such a configuration (*Col. 10, Lines 26-36, and Fig. 7, Elements 706 and 708*).

Baker, Beutnagel, Junqua, and Surace are analogous art because they are from a similar field of endeavor in speech recognition systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Baker in view of Beutnagel, and further in view of Junqua with the voice prompts have varying content levels, which lessens when a dialog is repeated as taught by Surace to allow an interactive dialog system to effectively adapt to a user experience level to implement a more efficient interaction when a user is familiar with the system (*Surace, Col.2, Lines 5-7*).

### ***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Raud et al (*U.S. Patent: 6,125,341*)- teaches a method for asking re-evaluation questions.

Yuchimiuk et al (*U.S. Patent: 6,823,313*)- discloses a method for structuring prompt outputs to ask a question in different ways.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632 and email is James.Wozniak@uspto.gov. The examiner can normally be reached on Mondays-Fridays, 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached at (571) 272-7582. The fax/phone number for the Technology Center 2600 where this application is assigned is (703) 872-9306.

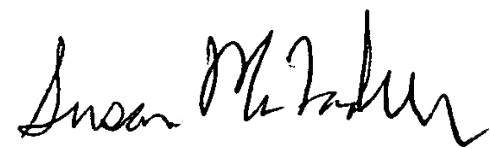


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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the technology center receptionist whose telephone number is (703) 306-0377.

James S. Wozniak  
6/22/2005

  
**SUSAN MCFADDEN**  
**PRIMARY EXAMINER**